

SENATE CHAMBER,

November 2, 1866.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—quorum present.

Journal of yesterday read and adopted.

Senator Guinn, Chairman of Finance Committee, reports and recommends the passage of a bill to authorize the reception of Treasury warrants for land dues in certain cases.

Also reports:

Hon. G. W. Jones, President of the Senate:

The Finance Committee, to whom was referred a bill granting a pension to John McDonald, have instructed me to report to the Senate that said McDonald will be placed in the list of pensions in the general appropriation bill for the years 1867 and 1868. They ask that no further action be had upon the bill.

R. H. GUINN, Chairman.

Also reports:

Hon. G. W. Jones, President of the Senate:

The Finance Committee, to whom was referred the memorial of the County Court of Chambers county, have considered it, and have to say that the State cannot, consistently with her financial embarrassment, relinquish to the county the State taxes for the years asked for by said memorialists, and they would state that the Legislature has already authorized County or Police Courts to levy and collect a special tax for county purposes. They have instructed me to return the memorial, and ask that no action be had.

R. H. GUINN, Chairman.

Also, reports and recommends the passage of a bill to transfer certain specie in the Treasury to the credit of estates of deceased persons.

Also, reports and recommends the passage of a bill authorizing and requiring the Comptroller of Public Accounts to transfer certain funds, now at credit of school fund, to State revenue account.

Senator Traitt, Chairman of Committee on Private Land Claims, reports and recommends the passage of a bill for the relief of the heirs of Jason Whitney, deceased.

Senator Voigt made the following reports:

Committee Room,

November 2, 1866.

Hon. G. W. Jones, President of the Senate:

The Committee on Enrolled Bills have examined the following bills, to-wit:

An Act to incorporate the Western Texas Colonial Land Immigration Company.

An Act to incorporate the Melrose Petroleum, Oil, Mining and Manufacturing Company.

An Act to incorporate Oakland College, find the same correctly enrolled and properly signed, and have presented the same to the Governor for his approval.

F. VOIGT,

One of the Committee.

Senator Yarbrow, Chairman of Committee on Commerce and Manufactures, reports and recommends the passage of a bill to incorporate the Western Texas Life, Fire and Marine Insurance Company of the city of San Antonio, passed February 15, 1858.

Senator Foscue, Chairman of Committee on Education, reports and recommends the passage of House bill entitled "An Act regulating public schools."

Also, reports and recommends the passage of a House bill to incorporate the Kaufman Male Academy.

Senator Braswell made the following report :

Hon. G. W. Jones, President of the Senate :

The Committee on Internal Improvements, to whom was referred a House bill to be entitled "An Act to incorporate the Central Transit Company, having examined the same, instruct me to report it back with the following amendment, and recommend its adoption and the passage of the bill:

Strike out in the first section all of the 6th line, after the word "of," and insert in lieu thereof "ninety-nine years."

S. N. BRASWELL, Chairman.

Senator McDade made the following report :

Hon. G. W. Jones, President of the Senate :

Your Committee on Internal Improvements, to whom was referred a House bill to be entitled "An Act to incorporate the Texas and California Telegraph Company," have examined the same with much consideration, and find it simply asks for the right of way through the State of Texas ; also, had reliable evidence before us that a contract had been entered into by responsible parties to build said line of telegraph from New Orleans to San Francisco, within the next two years. The committee think that it would not only be a matter of great magnitude to the country, in regard to the speedy transmission of messages, but that it would be a source of some protection to an exposed frontier, inasmuch as the company will be compelled to establish depots and stations on the line of the road, and will have to furnish a number of men at each to guard the same. In view of all the facts presented, the committee instruct me to report the

bill back to the Senate, and recommend its passage without amendment.

J. W. McDADÉ, one of the Committee.

Upon motion of Senator McDade, the bill and report was taken up, bill read second time, and passed to a third reading; rule further suspended, bill read third time, and passed by the following two-third vote:

YEAS—Senators Braswell, Blount, Boyd; Brown, Burney, Cooley, Dalrymple, Grinn, Jowers, Knox, McDade, Nelson, Neyland, Parker, Record, Reed, Saufley, Selman, Shannon, Truitt, Voigt and Yarbrow—22.

NAYS—None.

A message was received from the House, announcing the passage of the following bills:

A bill to be entitled "An Act for the relief of the heirs of Henry Roberds, deceased."

A bill to be entitled "An Act to require the Judge of the Ninth Judicial District to hold a special term of the District Court of Smith county."

A bill entitled "An Act to amend an act to organize the Supreme Court of the State of Texas," approved May 12, 1846.

A bill to be entitled "An Act to authorize the Police Court of Parker county to levy a special tax for the support of lunatics belonging to that county."

"An Act to incorporate the Houston Savings Investment Company."

"An Act to authorize William G. Delk to place a Boom across the Brazos river, at the city of Waco, in McLennan county."

A bill to be entitled "An Act to regulate the organization of new counties."

A bill to be entitled "An Act to incorporate the Austin City Water Works."

A bill entitled "An Act to amend the first section of an act entitled an act to amend the second and seventh sections of an act to organize the Supreme Court of the State of Texas," approved May 12, 1846, approved November 30, 1850, approved August 28, 1856.

Also, Senate bill to incorporate the Texas Overland Transportation Company.

The House has adopted the report of the Committee of Conference on the disagreement of the two Houses on a bill exempting certain property therein named from forced sale, and has agreed to the several Senate amendments to House bill, providing for the public printing, except the amendment to Section 8, and has appointed Messrs. Dunn and Bonner as a Committee of

Conference on said disagreement, and ask the appointment by the Senate of a like committee.

Also, a bill to be entitled "An Act making provision for the translation and printing of certain general laws into the Spanish language."

A bill entitled "An Act amending the charter of the city of Indianola, and enlarging the boundaries of said city."

Senator Foscue introduced a bill to incorporate the Galveston Dramatic Association.

Read 1st time and referred to Committee on State Affairs.

Senator Dalrymple introduced a bill supplemental to and amendatory of an act to adopt and establish a Penal Code for the State of Texas, approved August 28th, 1856.

Read first time and referred to Judiciary Committee.

Senator Saufley, introduced a bill to amend the 11th section of an act to provide for the registry of deeds and other instruments in writing, approved May 12th, 1846.

Read first time and referred to Judiciary Committee.

Senator Record introduced a bill to authorize the collection of claims against the estates of deceased persons in certain cases, read first time and referred to Judiciary Committee.

Senator Knox introduced a joint resolution proposing an amendment to the Constitution of the State of Texas.

Read 1st time and referred to the Finance Committee.

Senator Neyland reported as follows:

COMMITTEE ROOM, }
Austin, Nov. 2, 1866. }

Hon. G. W. Jones, President of the Senate:

The Committee on Engrossed Bills have examined and find correctly engrossed a bill to be entitled "An Act amendatory of an act to punish certain offences committed on Sunday, Approved 16th, December 1863.

And Joint resolution in relation to public property.

Respectfully submitted,

W. M. NEYLAND,

Chairman Committee on Engrossed Bills.

Senator Guinn introduced a bill supplemental to an act entitled an act supplemental to and amendatory of an act entitled an act to regulate proceedings in the District Courts, approved May 3, 1846, approved 20th October A. D. 1866.

Read first time and referred to Judiciary Committee.

On motion of Senator Neyland, rule was suspended, and a bill supplemental to an act entitled an act to authorize the Governor to appoint an agent for the Alabama and Coshattie In-

dians, and to make an appropriation for the same, approved December 30, 1861, was taken up.

Senator Neyland moved to amend as follows :

After "agent," in second line, first section, add "or agents."

First section, fourth line, strike out "three" and insert "one."

After "dollars," in fourth line, first section, add, "for each tribe that he may be appointed the agent of."

Strike out section 2d.

In section fourth, seventh line, strike out "one agent," and insert "three agents."

Strike out all after third line in fifth section and insert "or agents."

Make section third section second, section fourth section third, section fifth section fourth, and section sixth section fifth.

Amendments made.

Bill as amended, read second time and passed to a third reading; rule further suspended, read third time and passed.

On motion of Senator Guinn, rule was suspended, and a bill to transfer certain specie in the Treasury to the credit of estates of deceased persons; taken up, read second time and passed to third reading; rule further suspended, read third time and passed.

On motion of Senator Guinn, rule was suspended, and a bill to authorize and require the Comptroller of Public Accounts to transfer certain funds now at credit of School Fund to State Revenue Account, taken up, read second time and passed to a third reading.

Rule further suspended, read third time, and passed.

Upon motion of Senator Nelson, rule was suspended, and a bill for the relief of the heirs of Jason Whitney, deceased, was taken up, read second time, and passed to a third reading.

Rule further suspended, read third time, and passed.

Senate bill, to provide for the payment of the First Parker County Minute Company, commanded by Capt. L. L. Tackett, and Wise county Minute Company, commanded by Capt. John Teague, on its third reading, taken up, read third time, and passed.

Senate bill, amendatory of an act to punish certain offences committed on Sunday, approved 16th December, 1863, taken up, read third time, and passed.

Upon motion of Senator Guinn, a bill to encourage the manufacture of iron, and for the employment of convict labor therein, was taken up, and made the special order for 11 o'clock, Monday, 5th November.

Upon motion of Senator Knox, rule was suspended, and a bill to incorporate the New Braunfels Manufacturing Company was taken up, amendments recommended by the Committee on Commerce and Manufactures, were adopted.

Bill read second time, and passed to a third reading.

Rule further suspended, read third time, and passed by the following two-third vote:

YEAS—Senators Braswell, Blount, Boyd, Brown, Bumpass, Burney, Cooley, Coppedge, Guinn, Jowers, Knox, Littleton, McDade, Nelson, Neyland, Parker, Reed, Selman, Shannon, Truitt, Voigt and Yarbrow—22

NAYS—None.

Upon motion of Senator Shannon, rule was suspended, and a bill to provide means for the defense of the frontier was taken up, amendments recommended by the Judiciary Committee adopted.

Senator Record moved to amend as follows:

In section 1st, strike out "he," between "therefor" and "in," in fourth line, counting from bottom, and insert "the Comptroller."

Strike out "Treasury," between "issue" and "warrants," in third line from bottom, and insert "his," and in same line between "warrants" and "drawing," insert "in the Treasury."

Amendment made.

Senator Guinn moved to amend as follows:

In 1st and 2d sections, strike out "Treasurer," and insert "Comptroller."

Amendment made.

Bill as amended, read second time, and passed to a third reading, by the following vote:

YEAS—Senators Braswell, Blount, Boyd, Bumpass, Burney, Cooley, Guinn, Jowers, Knox, Littleton, McDade, Parker, Record, Shannon, Stell, Truitt, Voigt and Yarbrow—18.

NAYS—Senators Coppedge, Foscoe, Nelson, Reed, Saufley and Selman—6.

A message was received from His Excellency the Governor, and,

Upon motion of Senator Record, was taken up, read, and referred to a select committee of five.

EXECUTIVE OFFICE,

Austin, November 1, 1866.

Gentlemen of the Senate and House of Representatives:

I return herewith a bill for the relief of debtors in certain cases, to the House, in which it originated, with my objections.

thereto. Waiving a discussion of the constitutionality of the objects and purposes of the bill, I confine my objections to some of the sections of the measure and to the details.

It will be remembered, that in my general message, your attention was invited to the consideration of the subject embraced in the bill, viz: relief to the people from the operation of the collection laws of the State.

The many complications of the last few years made legislative action in this direction a pressing necessity, demanded by the gravest interests of the people, from one end of the State to the other; and I will confess to you that it is with great hesitancy that I interpose any objections to the bill before me becoming a law even in its present shape. But believing that I am subserving the best interests of the people by the course I now take, I submit the following objections to the bill, and invite your serious and mature consideration of them, and if found well taken, ask you to perfect the bill by proper legislation, so that it will accomplish the purpose intended.

1. The 1st section allows the collection of existing judgments by installments within four years from the passage of the law.

This is the fullest relief that could be demanded by those who are not oppressed. This relief is given without conditions being imposed on the debtor, outside of the payment of the installments as they fall due, and without requiring of him any additional security lien or mortgage to make the creditor safe in the ultimate collection of the money due him.

This is the relief extended to the judgment debtor, the most embarrassed, harrassed and restrictive class of debtors. No objection is urged against this section, notwithstanding it is so very liberal in its terms to the debtor, and affords no advantage or benefit whatever to the creditor. The country needs relief, and though, in my opinion, that given is greater than was demanded, yet receiving the sanction of the Legislature, I have no disposition to interfere with it.

2. The 2d section allows a stay similar to that provided for in the 1st section, on all judgments which may be hereafter rendered in suits now pending for debts contracted prior to the 26th day of May, 1865. The stay to commence at the date of the judgment.

This section, in my view, is liable to several objections.

1st. It is working in unity and harmony with the first section.

2d. It is partial legislation.

3d. It is uncertain and unequal in its operation.

4th. It is impolitic.

The third section is subject to the same objections urged against the second, and I specially invite your attention to a careful perusal and analysis of these three sections. Analyze them and then group the analysis. It is impossible that you will not be forcibly impressed with the inequality of the relief given, and with the comparative injustice done to one class of debtors. I mean to the judgment debtor, who is provided for by the first section.

Why is it that the discrimination is made against the judgment debtor? He is the most needy—most embarrassed—most restricted; executions are ready to issue against him, and yet with all his difficulties, judgment liens resting on all his property, or mortgages foreclosed, or inability on his part to use his means to realize money, he is restricted to a shorter time than any other debtor toward whom relief is tendered, in which to meet his liabilities. The debtor against whom suit is pending for the class of liabilities relieved against, has four years from an indefinite time in the future to pay by installments judgments that may be rendered against him. He is given the time between the date of the proposed law till the rendition of judgment, in addition to the time allowed to judgment debtors.

The debtor who is simply indebted by note or account has three years for the class of debts relieved against within which to meet judgment that may be rendered against him in suits brought against him at some indefinite time in the future. What could be more unequal than the practical workings of this law?

The effect of the law will be that, when the judgment debtor has been forced under all his difficulties to meet his last installment, the time of relief will have just commenced running in behalf of a great portion of those who are debtors now, but against whom no judgments exist.

The law should be certain. It should be equal in its operation, bearing on all and relieving all alike. If restrictions are made at all, they should be in favor of those who are most oppressed by the circumstances surrounding them.

3. Section 5 interferes with the fiscal affairs of the State to an extent. The condition of the treasury demands that the State have the benefit of every character of collection, and no obstacle should be thrown in the way, save for special causes; and then special legislation should be had to meet and to relieve from the special cause. And in this connection, I would call your attention to that class of debtors who purchased the University lands, and suggest that they be required to pay on the

same, or similar terms you have imposed on railroad companies. Both classes, railroad companies and University land purchasers, are indebted to the State on account of the educational fund, and both should stand on the same basis.

4. Section 6 is seriously objectionable. It provides that where sales under deeds of trust shall be made because of default to pay installments under the provisions of section 1, the trust property shall be sold—the amount then due the creditor paid out of the proceeds; but it fails to make provision as to what shall be done with the residue after such due installment has been paid. In the absence of such provision, the residue necessarily goes from the hands of the trustee into the hands of the party whose property has been sold.

Thus the creditor loses all benefit of his trust deed, save to the extent of the installment, in the payment of which default has been made. It is almost impossible to conceive of a more unjust law as applicable to a given subject. The same rule would apply where vendors' liens or mortgages were foreclosed.

The law should provide that only a part of the property should be sold—sufficient to meet the installment in the judgment of which default has been made; or that the funds remaining over, after paying the said installment, should be held in the hands of the court, to be applied to the succeeding installments as they fall due.

Without a provision in the law on this point, the law would be unjust, iniquitous, and ruinous to all preferred creditors.

If I may be permitted to make a specific suggestion to you, I would say, that the stay law should not extend the time for so long a period, for the payment of debts.

The country will rise from its prostrate, oppressed condition. This I truly believe. But, should such not be the case, another session of the Legislature will convene, and if the necessities of the country demand it, the relief granted by you may be extended to the people. A delay of three years will test the necessity for relief.

In framing a stay law, I would recommend that the relief granted be uniform to all debtors who are liable for the given class of debts. For instance, relief may be granted to judgment debtors for two, three, or four years, as you, in your wisdom, may determine. Then relief should be granted to those against whom judgment may hereafter be rendered for a time not to exceed the time granted to present judgment debtors.

I am anxiously desirous that relief should be granted to the people; I believe they are in justice entitled to it; but I would

insist that the relief which may be granted shall be equal and uniform. I desire to see a law just in its provisions, and which will stand the test of the courts.

There are a number of points concerning the bill to which I might appropriately call your attention, springing from questions of constitutional law, policy and expediency. I will, however, content myself here by adverting to one or two questions of policy.

If there is unreasonable delay in the enforcement of the collection of debts, requiring, in the mean time, no security or advantage to the creditor for this delay, it will be seen at a glance that the commercial relations of the country will greatly suffer. It is well known to you all that these State laws have no operation or force when applied to the proceedings of the courts of the United States, until adopted by those courts. The consequence will be, that as nearly all the debts created in commerce are due to citizens of other States, they will at once be enforced in the United States courts. The result will be, that whilst this class of our citizens will be compelled to meet their obligations, those who are indebted to them, having the advantage of the law, which forces citizens of the State as to claims against each other into the State courts, will not be compelled to pay. Ruin to the class of debtors sued in the United States courts must be the consequence; and as these represent the greater amount of capital in the State, there is great danger that it will produce general bankruptcy. In any event, universal distrust will be created, and the universal stoppage of enterprise and improvements, both public and private, will be sure to follow.

No great class of our citizens can be sacrificed without entailing evil upon all; and as it is now to us a matter of greater interest than ever before, both as relates to our public or private enterprises, to build up the credit of the State and the people, both at home and abroad, I cannot too earnestly urge you to the adoption of such measures as will lead to that result, or warn you to avoid a catastrophe.

Another view of the case may be mentioned. Laws which impede the collection of debts have by the courts been frequently held unconstitutional, as impairing the obligation of contracts. The decisions are made to turn upon the delay given and the provision that is made for the creditor. In this law no provision is made for him—his debt is not to be secured or in any wise bettered.

And it may well be questioned, whether the law is unconsti-

tutional. Should the courts so determine, the people will lose the benefits that they reasonably expect from your legislation.

This, if possible, should be avoided, and such provisions should be adopted, and only such time given in the law as will reasonably assure those interested that it will be upheld by the courts, and the relief needed be given.

Believing that you desire, as I certainly do, to perfect a law that will be advantageous, and at the same time just to the people, I refrain from further discussion, and trust that you will see the necessity of reconsidering and perfecting the bill I herewith return to you.

It is not my desire to defeat the intention of the law. I fully realize your anxiety on the subject, because of your knowledge of the need of the law, and of the necessities of the people. But I should be recreant to my sense of duty did I not urge you to the due consideration of the points I have suggested.

J. W. THROCKMORTON.

The Chair announced as special committee Senators Record Dalrymple, Jowers, McDade, Braswell, Bumpass and Shannon.

Upon motion of Senator Burney, rule was suspended, and a bill to authorize Perryman T. Black to construct a bridge across White Oak, in Titus county, was taken up, read second time and ordered to be engrossed; rule further suspended, read third time and passed by the following two-third vote:

YEAS—Senators Braswell, Blount, Boyd, Burney, Coppedge, Dalrymple, Foscue, Jowers, Knox, Littleton, McDade, Nelson, Parker, Reed, Sanfley, Selman, Shannon, Truitt, Voigt and Yarbrow—20.

NAYS—Senator Brown—1.

Senator Neyland made the following report:

COMMITTEE ROOM, }

Austin, Nov. 2, 1866. }

Hon. Geo. W. Jones, President of the Senate:

The Committee on Engrossed Bills have examined and find correctly engrossed a bill to be entitled "An act to define the duties of Receiving Clerk of the General Land Office, and to require him to give bond." Respectfully submitted.

W. M. NEYLAND,

Chairman of Com. on Eng'd Bills.

Upon motion of Senator Knox, the following House bills were taken up, and referred as indicated.

Bill to regulate the organization of new counties.

Read first time and referred to Committee on Counties and County Boundaries.

Bill for the relief of the heirs of Henry Roberts, deceased.

Read first time and referred to Committee on Private Land Claims.

Bill to require the Judge of the 9th Judicial District to hold a special term of the District Court of Smith county.

Read first time and referred to Judiciary Committee.

Bill to amend an act to organize the Supreme Court of State of Texas, approved May 12, 1846.

Read first time and referred to Judiciary Committee.

Bill to incorporate the Houston Savings Investment Company.

Read first time and referred to Committee on Internal Improvements.

Bill amending the charter of the city of Indianola and enlarging the boundaries of said city.

Read first time and referred to Committee on State Affairs.

Bill making provision for the translation and printing of certain general laws, into the Spanish and German languages.

Read first time and referred to Committee on Printing.

Bill to incorporate the Austin City Water Works.

Read first time and referred to Committee on State Affairs.

Bill to authorize Wm. G. Delk to place a boom across the Brazos river, at the city of Waco, in McLennan county.

Read first time and referred to Committee on Roads, Bridges and Ferries.

Bill to amend the 1st section of an act entitled "An act to amend the 2d and 7th sections of an act to organize the Supreme Court of the State of Texas," approved May 12, 1843; approved Nov. 30, 1850; approved Aug. 28, 1856.

Read first time and referred to Judiciary Committee.

Bill to authorize the Police Court of Parker County to levy a special tax for the support of lunatics belonging to that county.

Read first time; rule suspended; read second time and passed to a third reading; rule further suspended, read third time and passed.

Upon motion of Senator Foscue, a Committee of Conference was raised to act with a like committee on part of the House, on the disagreement of the two Houses on a bill relating to public printing. The Chair announced Senators Foscue and Sanfley as the committee on part of the Senate.

Upon motion of Senator Sanfley, rule was suspended, and a bill to incorporate the Sulphur Bridge and Turnpike Company

was taken up, and amendments recommended by the Committee on Roads, Bridges and Ferries were adopted.

Bill read second time and passed to a third reading; rule further suspended, bill read third time and passed by the following two-third vote:

YEAS—Senators Blount, Brown, Bumpass, Burney, Cooley, Coppedge, Dalrymple, Foscue, Guinn, Knox, McDade, Nelson, Neyland, Parker, Record, Reed, Saufley, Selman, Shannon, Stell, Truitt and Voigt—22.

NAYS—None.

Upon motion of Senator McDade, rule suspended, and a bill to incorporate the Houston Insurance Company, taken up, read second time and passed to a third reading; rule further suspended, read third time and passed by the following two-third vote:

YEAS—Senators Blount, Brown, Bumpass, Burney, Cooley, Coppedge, Dalrymple, Foscue, Guinn, Knox, Littleton, McDade, Nelson, Neyland, Reed, Saufley, Selman, Shannon, Stell, Truitt, Voigt and Yarbrow—22.

NAYS—None.

Upon motion of Senator Stell, rule was suspended, and a bill to incorporate the El Paso Irrigation and Manufacturing Company, taken up, and amendments recommended by the Committee on State Affairs made.

Bill read second time and passed to a third reading; rule further suspended, read third time and passed by the following two-third vote:

YEAS—Senators Braswell, Boyd, Burney, Cooley, Coppedge, Dalrymple, Foscue, Guinn, Knox, Littleton, McDade, Nelson, Neyland, Parker, Reed, Selman, Stell, Truitt, Voigt and Yarbrow—20.

NAYS—Senators Blount and Record—2.

Upon motion of Senator Parker, rule was suspended, and a bill to incorporate the Central Transit Company was taken up, and amendments recommended by the Committee on Internal Improvements made.

Bill read second time and passed to a third reading; rule further suspended, read third time and passed by the following two-third vote:

YEAS—Senators Braswell, Boyd, Brown, Burney, Coppedge, Dalrymple, Foscue, Guinn, Jowers, Knox, Littleton, McDade, Nelson, Neyland, Parker, Record, Reed, Selman, Shannon, Truitt, Voigt and Yarbrow—22.

NAYS—Senators Blount and Cooley—2.

Upon motion of Senator Guinn, the Senate adjourned until to morrow morning at 9 o'clock.

SENATE CHAMBER, }
Nov. 3, 1866. }

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—quorum present.

Journal of yesterday read and adopted.

Senator Blount made the following report :

Hon. Geo. W. Jones, President of the Senate:

The Committee of Conference, to whom was referred the disagreement of the two Houses upon an act to regulate the sale, alienation, removal or transfer of animals in this State, and to require butchers to report to the Police Court all animals slaughtered, and for other purposes, have duly considered the subject matter of difference, and have agreed to recommend that the Senate amendment be changed so as to read as follows : "Provided, that the provisions of the first section of this act shall not apply to any of the counties now composing the first Congressional District." And that the amendment, so changed, be adopted.

J. M. BLOUNT,

Chair'n on part of Senate.

R. H. BELLAMY,

Chair'n on part of House.

Upon motion of Senator Blount, the report was taken up and adopted.

Senator Foscoe introduced a bill amendatory of an act entitled "An act for the incorporation of the town of Liberty," approved June 7, 1837.

Read first time and referred to Committee on State Affairs.

Senator McDade, for the Committee on Internal Improvements, reported back and recommended the passage of a House bill to incorporate the Houston Savings Investment Company.

Senator Cooley introduced a bill to amend an act entitled an act to establish a code of criminal procedure for the State of Texas, approved August 26, 1856.

Read first time, and referred to Judiciary Committee

House bill to provide means for the defence of the frontier, on its third reading, taken up, read third time.